

**TOWN OF DARIEN  
BOARD OF SELECTMEN  
REGULAR MEETING  
SEPTEMBER 24, 2012**

**ATTENDANCE:** 1<sup>st</sup> Selectman Stevenson; David Campbell; Gerald Nielsen;  
David Bayne; John Lundeen

**STAFF:** Karl Kilduff, Administrative Officer

**OTHER:** Ms. Amy Zabetakis, Darien Station Associates LLC

**CALL TO ORDER**

1<sup>st</sup> Selectman Stevenson called the meeting to order at 7:50 p.m.

**FIRST SELECTMAN'S REPORT**

1<sup>st</sup> Selectman Stevenson read the following provided information into the record:

“While we have officially disbanded the Deer Management Committee, I am going to authorize Laurie and Tom McGrath to continue as my liaison to the Fairfield County Deer Management Alliance. “The stated mission of this organization is to study, educate, inform and raise awareness of the benefits of a balanced deer population. I believe this information can be helpful to me in any future decisions that may need to be made regarding the management of the deer population here in Darien.

9/12 – I attended a regional roundtable with the Mayors of Stamford and Norwalk and a representative from the City of Bridgeport. Transportation is without a doubt one of the largest stumbling blocks to job growth here in Fairfield County.

9/15 – Ribbon Cutting for the newly renovated YMCA. Thanks to the Y for all they do for the Town of Darien and to the neighbors for their patience during the construction.

9/16 – Another successful Darien Road Race – over 620 participants coming together to raise money for the Bennett and Whittingham Cancer Centers.

9/17 – Hosted Pack 161 here at Town Hall for a flag raising and Q&A about town government.”

**ADMINISTRATIVE OFFICER'S REPORT**

Mr. Kilduff said they are in the process of working with the publisher in order to refine the annual report. He said they are trying to economize where possible. Different

alternatives for printing are being evaluated. He said they are working on revising the Capital Improvement Plan.

**REPORT FROM THE BOARD OF EDUCATION CENTRAL OFFICE/MATHER  
CENTER BUILDING COMMITTEE**

Mr. Campbell said that bids were opened last week. He said the low bidder for 35 Leroy was DiPietro Construction, and the low bidder for the Mather Center was Werner Construction, the same contractor who did Weed Beach. The budget numbers were \$2,418,000 on 35 Leroy and it came in at \$2.5M. The Werner Construction budget number was \$3.6M and it came in at \$3,554,000. The total for the two buildings is \$6,054,000 vs. the budget number of \$6,018,000, which is an overage of \$36,000. He said that DiPietro is scheduled to start work at 35 Leroy on October 4, 2012 to be completed February 16, 2013. Then Werner can begin work in late February on the Mather Center and be completed on September 15, 2013. Some discussion took place regarding project details, the budget numbers, and the State reimbursement. It was mentioned that a credit of \$600,000 (\$200,000 for the construction and \$400,000 for the land) will not be credited back to the project but rather back to the Town.

**PUBLIC COMMENT**

There was no public comment.

**NEW BUSINESS**

a) Discuss Creation of Transfer Station Advisory Committee

1<sup>st</sup> Selectman Stevenson acknowledged and credited Ms. Dot Kelly for her insight on this idea. She explained the two initiatives, the first being how to better educate the public in terms of single stream recycling. The second initiative is to look at transfer station operations. Discussion took place among the Selectmen regarding the Transfer Station Advisory Committee charge, which includes developing a public education program; examining the business model of the transfer station; and evaluating other recycling initiatives. It was noted that the Transfer Station Advisory Committee shall consist of seven (7) residents, no more than four (4) of whom shall be from the same political party. Ex-Officio Members shall be the First Selectman and Public Works Director. The language and wording of the Transfer Station Advisory Committee document will be revised and there will be a formal vote taken at the next meeting.

b) Discuss and Take Action on Sidewalk Installation Policy

**\*\* MR. CAMPBELL MOVED TO APPROVE THE SIDEWALK  
INSTALLATION POLICY FOR THE TOWN OF DARIEN.**

**\*\* MR. BAYNE SECONDED.**  
**\*\* MOTION PASSED UNANIMOUSLY.**

**\*\* MR. LUNDEEN MOVED TO APPROVE AMENDING THE AGENDA TO DISCUSS ITEM D, 20 WEST AVENUE, PRIOR TO ITEM C, COMMUTER PARKING CHANGES.**

**\*\* MR. NIELSEN SECONDED.**  
**\*\* MOTION PASSED UNANIMOUSLY.**

- c) Discuss and Take Action on Resolution Authorizing and Directing the First Selectman to Execute a Parking and Site Improvement Agreement for 20 West Avenue

Ms. Amy Zabetakis and three other associates, representing Darien Station Associates, LLC, explained the details of the Parking and Site Improvement Agreement. It was mentioned that the project was a perfect example of adaptive re-use of town property and is a nice addition to the Town.

**\*\* MR. LUNDEEN MOVED TO APPROVE THE RESOLUTION AUTHORIZING AND DIRECTING THE FIRST SELECTMAN TO EXECUTE A PARKING AND SITE IMPROVEMENT AGREEMENT FOR 20 WEST AVENUE.**

**WHEREAS, THE TOWN OF DARIEN AND OWNERS OF 20 WEST AVENUE ENTERED INTO AN AGREEMENT DATED MAY 12, 1992 ENTITLED “DOWNTOWN IMPROVEMENT AGREEMENT”, WHICH AGREEMENT PROVIDED FOR THE TOWN TO CONSTRUCT A MUNICIPAL PARKING LOT WITH THE ISSUANCE OF FIFTY-EIGHT (58) FREE, UNRESTRICTED AND EXCLUSIVE PARKING PERMITS FOR THE USE OF THE PROPERTY’S TENANTS; AND**

**WHEREAS, THE TERMS OF SAID AGREEMENT WERE TO RUN WITH THE PROPERTY; AND**

**WHEREAS, DARIEN STATION ASSOCIATES LLC, THE CURRENT OWNER OF THE PROPERTY, WISHES TO EXERCISE THEIR RIGHTS TO THE PARKING PERMITS AS WELL AS MODIFY THE AGREEMENT TO REFLECT AND MAKE ADDITIONAL IMPROVEMENTS TO THE PROPERTY AND ABUTTING PUBLIC AREAS.**

**NOW, THEREFORE, BE IT RESOLVED THAT THE FIRST SELECTMAN IS HEREBY AUTHORIZED AND DIRECTED TO EXECUTE A PARKING AND SITE IMPROVEMENT AGREEMENT FOR 20 WEST AVENUE ON BEHALF OF THE TOWN OF DARIEN WITH SUCH AGREEMENT BEING RECORDED ON THE LAND RECORDS OF THE TOWN OF DARIEN.**

**\*\* MR. CAMPBELL SECONDED.**  
**\*\* MOTION PASSED UNANIMOUSLY.**

d) Discuss Commuter Parking Changes

i. Technology Enhancements

Mr. Kilduff provided information and explained details about the technology enhancements, saying that there are four conceptual changes: eliminate paper vouchers and replace with pay stations; introduce pay-by-app; introduce online permit processing; and introduce license plate reader. He said there is a database available but they are not in control of it. The company is in NJ. He said in lieu of the scratch-off ticket (daily voucher ticket), the database can be integrated to the grand list and the license plate reader. Some discussion took place regarding benefits of the enhancements, including identifying permit traders, increasing the oversell rate, and increased revenue to the town. It was mentioned that the DOT is already on board with this and there is no opposition.

**\*\* MR. NIELSEN MOVED TO APPROVE THE TECHNOLOGY ENHANCEMENTS FOR COMMUTER PARKING.**

**\*\* MR. LUNDEEN SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

ii. Daily Parker and Permit Parking Rate

Mr. Kilduff explained the existing conditions as detailed in his provided memo, saying that the stations are on lease from the State and expired on June 30, 2012. The cost of parking acts as an incentive in and of itself for certain behaviors that make it more difficult to management the parking system. The ability to fund capital improvements has the annual balance in the Parking Fund allocated to capital improvements at the stations.

e) Discuss and Take Action on Resolution Acting on Town's Right of First Refusal to Purchase 0.2609 Acres of Open Space

**\*\* MR. NIELSEN MOVED TO APPROVE THE RESOLUTION ACTING ON TOWN'S RIGHT OF FIRST REFUSAL TO PURCHASE OPEN SPACE WHEREAS, THE TOWN ENTERED INTO A STIPULATED JUDGMENT ON JANUARY 11, 2012 WITH THE WEE BURN COUNTRY CLUB WHICH PROVIDED A TAX REDUCTION FOR THE WEE BURN COUNTRY CLUB AND CERTAIN OPTIONS TO THE TOWN; AND WHEREAS, ONE OF THE OPTIONS WAS A RIGHT OF FIRST REFUSAL TO PURCHASE ALL OR ANY PORTION OF THE REAL ESTATE THAT THE CLUB SHOULD DECIDE TO SELL; AND WHEREAS, THE TOWN HAS BEEN NOTIFIED BY LETTER DATED AUGUST 22, 2012 THAT THE CLUB IS INTENDING TO SELL A SMALL PORTION OF ITS PROPERTY, IN PARTICULAR 0.2609 ACRES; AND**

**WHEREAS, THE TOWN HAS CONSIDERED THIS OPTION; AND  
BE AND IT IS HEREBY RESOLVED THAT PURSUANT TO THE  
STIPULATED JUDGMENT AND DECLARATION, THE TOWN HEREBY  
WAIVES ITS RIGHT OF FIRST REFUSAL WITH RESPECT TO THIS  
PARTICULAR TRANSACTION.**

**\*\* MR. LUNDEEN SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

### **AGENDA REVIEW**

1<sup>st</sup> Selectman Stevenson said that they will have the revised parking policy, SWPA Rt 1 study, the Hoyt Street sidewalk issue, and the Mather Center building update.

### **APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

Regular Meeting of September 10, 2012

The changes to the Regular Meeting of September 10, 2012 are as follows:

On page 1, under ADMINISTRATIVE OFFICER'S REPORT, the first sentence should read: "Mr. Kilduff said approval from the State has been received for the STEAP grant funding for Gorham's Pond and was transferred to the upper pond on the Goodwives River, and said the State's support and cooperation is appreciated in moving this project forward."

On page 2, under PUBLIC COMMENT, eliminate the 2<sup>nd</sup> sentence. The last sentence should read "She said the Public Works Committee of the RTM asked her to present this information to the Board of Selectmen this evening."

On page 3, 1<sup>st</sup> sentence, change "Perret" to "Pierret". The 2<sup>nd</sup> sentence should read: "She thanked Ms. Pierret."

On page 4, under Discuss Sidewalk Installation Policy, the 2<sup>nd</sup> sentence should read: "Discussion took place regarding the point scale, and it was agreed that the point scale would be eliminated." The 3rd sentence should read: "It was further agreed to appoint an Advisory Committee, with 1<sup>st</sup> Selectman Stevenson suggesting that one Selectman participate on the Committee."

On page 4, under Discuss Mather Center General Use Policy, the 4<sup>th</sup> sentence should be eliminated.

**\*\* MR. LUNDEEN MOVED TO APPROVE THE MINUTES OF THE REGULAR  
MEETING OF SEPTEMBER 10, 2012 AS AMENDED.**

**\*\* MR. NIELSEN SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

**FORTHCOMING MEETINGS**

September 25, 2012 Board of Education Regular Meeting at 7:30 p.m.  
October 2, 2012 Planning & Zoning Commission Planning Meeting at 8:00 p.m.  
October 9, 2012 Board of Education Regular Meeting at 7:30 p.m.  
October 15, 2012 Board of Selectmen Regular Meeting at 7:45 p.m.  
**October 16, 2012 Joint Department Head Meeting at 8:30 a.m.**

**OTHER BUSINESS** (Any items added to the agenda require a two-thirds vote.)

**ADJOURNMENT**

**\*\* MR. LUNDEEN MOVED TO ADJOURN.**

**\*\* MR. NIELSEN SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Carolyn Marr  
Telesco Secretarial Services